

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of the
California-American Water Company (U210W)
for an Order Authorizing it to Increase its Rates
for Water Service in its Sacramento District to
Increase Revenues by \$8,198,700 in the Year 2003;
and \$1,955,000 in the Year 2004.

Application 02-09-030
(Filed September 19, 2002)

And Related Matters.

Application 02-09-031
(Filed September 19, 2002)
Application 02-09-032
(Filed September 19, 2002)
Application 02-09-033
(Filed September 19, 2002)

**ASSIGNED COMMISSIONER AND ADMINISTRATIVE LAW JUDGE'S
JOINT RULING MODIFYING SCHEDULE**

The Assigned Commissioner's Scoping Ruling in this consolidated proceeding required the Office of Ratepayer Advocates and parties other than CalAm to serve their direct testimony and exhibits by February 28, 2003, CalAm to serve its rebuttal testimony by March 14, 2003, and evidentiary hearings to begin on March 24, 2003. On January 27, 2003, ORA made a request under the Commission's Rules of Practice and Procedure, Rule 48(a), that the due date for its direct testimony and exhibits be moved from February 28 to March 28. ORA states that its team consists largely of analysts who have agreed to participate on

a part-time basis but have not been able to meet their time commitments due to pressures from their other assignments.

Intervenors Montara Sanitary District and the County of Santa Cruz have also had difficulty completing their analyses and testimony. Both support ORA's request and seek the same extension for their own direct testimony and exhibits.

CalAm opposes the parties' requests. If an extension is to be granted, CalAm proposes a compromise which it believes would be acceptable to ORA: ORA would serve its direct testimony and exhibits on March 17 and CalAm would serve its rebuttal to ORA on March 21; other parties' direct testimony and exhibits would continue to be due February 28 and CalAm's rebuttal to them would be served March 14, both as currently scheduled; a settlement conference would be noticed for and held on March 24; and the first two days of evidentiary hearing in the current schedule would be eliminated.

The parties noted in the prehearing conference that the issues in this proceeding go well beyond those of the standard general rate case for which the Commission's rate case plan was devised. Montara Sanitary District and Santa Cruz aptly summarize those complexities in their February 3 response letter: CalAm's applications include requests to retain synergy savings it believes will be achieved as a result of American Water Works' acquisition of the four former Citizens properties; RWE has now acquired American Water Works, greatly complicating both the technical and legal issues; and CalAm is seeking two separate rate regionalizations (Montara and Felton with Monterey District, and Larkfield with Sacramento).

We agree with the parties that ORA's participation is essential to ensure these applications are properly analyzed and the record fully developed. Under CalAm's alternative proposal, the parties would not have sufficient time to

analyze any new material CalAm might submit in its rebuttal to ORA, and the evidentiary hearing schedule would be too rushed to develop an adequate record. CalAm's proposed settlement conference would be held on March 24, just one week after ORA's direct exhibits and testimony are served, the first business day after CalAm's rebuttal is served, and just two days before evidentiary hearings. We encourage the parties to conduct settlement discussions, but with carefully developed positions and full understanding of their opponents' positions. That would not happen if they had so little time to prepare.

Given these considerations, we will modify the schedule as follows:

March 26, 2003	Commission staff and parties other than CalAm serve direct testimony and exhibits.
April 9, 2003	CalAm serves rebuttal testimony.
April 21, 2003	CalAm and staff serve reconciliation exhibit.
April 21 – May 2, 2003	Evidentiary hearings begin at 9:30 a.m., in the Commission Courtroom, State Office Building, 505 Van Ness Avenue, San Francisco.
May 23, 2003	Concurrent briefs filed; proceeding submitted.
July 7, 2003	Proposed Decision filed.
	Comments on Proposed Decision (20 days after Proposed Decision filed).
	Reply Comments on Proposed Decision (five days following Comments).

August, 2003

Commission meeting to consider Proposed
Decision.

IT IS RULED that:

1. The schedule for this proceeding is modified as set forth in the body of this ruling.

2. Evidentiary hearings will begin at 9:30 a.m., April 21, 2003, in the Commission Courtroom, State Office Building, 505 Van Ness Avenue, San Francisco, California.

Dated February 14, 2003, at San Francisco, California.

/s/ CARL WOOD
Carl Wood
Assigned Commissioner

/s/ JAMES C MCVICAR
James C. McVicar
Administrative Law Judge

CERTIFICATE OF SERVICE

I certify that I have by mail this day served a true copy of the original attached Assigned Commissioner and Administrative Law Judge's Joint Ruling Modifying Schedule on all parties of record in this proceeding or their attorneys of record.

Dated February 14, 2003, at San Francisco, California.

/s/ FANNIE SID

Fannie Sid

N O T I C E

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.

The Commission's policy is to schedule hearings (meetings, workshops, etc.) in locations that are accessible to people with disabilities. To verify that a particular location is accessible, call: Calendar Clerk (415) 703-1203.

If specialized accommodations for the disabled are needed, e.g., sign language interpreters, those making the arrangements must call the Public Advisor at (415) 703-2074 or TTY# 1-866-836-7825 or (415) 703-5282 at least three working days in advance of the event.